THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 24259 of 2005

Oral order:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-APSRTC.

The petitioner, who is working as Conductor with the respondents, was placed under suspension on the ground that the social status certificate produced by him is bogus. Questioning the same, the petitioner filed writ petition in W.P. No. 19572 of 2005, which by order dated 05.09.2005, was allowed by this Court. In pursuance of the order, the petitioner was reinstated into service. Thereafter, the respondents issued the impugned proceedings, calling upon the petitioner to appear for enquiry into his social status. It is these proceedings, which the petitioner has called in question in this writ petition on the ground that the respondents have no authority or power to enquire into his social status, and that District Collector alone under Section 5 of the A.P. (Scheduled Castes, Scheduled Tribes & Backward Classes) Regulation of Issue of Community Certificates Act, 1993 is entitled to enquiry into his social status.

The learned Standing Counsel for the respondents submitted that the Chief Law Officer on 27.03.2006 directed the Regional Manager, APSRTC, to drop the enquiry proceedings initiated against the petitioner, inasmuch as enquiry into social status, has to be conducted by the revenue authorities empowered under Section 5 of the A.P. (Scheduled Castes, Scheduled Tribes & Backward Classes) Regulation of Issue of Community Certificates Act, 1993 and the Rules made thereunder.

Inasmuch as the enquiry proceedings, initiated against the petitioner for enquiring into his social status, are reported to have been dropped by the respondents, nothing survives for adjudication in the writ petition. However, it is open to the respondents to request the revenue authorities empowered under Section 5 of the A.P. (Scheduled Castes, Scheduled Tribes & Backward Classes) Regulation of Issue of Community Certificates Act, 1993 and the Rules made thereunder, to enquiry into the social status of the petitioner, and basing of the report that may be submitted by the authorities concerned, take appropriate action against the petitioner.

With the observations as above, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 28th March, 2006.

KSR